

# ICPS newsletter®

## Parliamentary Opposition in Great Britain: Lessons for our Verkhovna Rada

***The British experience of parliamentary opposition cannot easily be “transplanted” to transitional democracies. After all, the UK system developed over hundreds of years and is strongly grounded in tradition. Still, the most central lesson for Ukraine is the importance of a good, day-to-day working relationship between a Government and opposition parties, argues Duncan Hiscock, international consultant to the ICPS director. For this reason, changes to Ukrainian legislation, such as a new Law on the Opposition, are only a partial solution. First of all, more thought should be put into how to establish the conditions for constructive cooperation between the Government and its opposition***

### The British Parliament has a tradition of frequent “Opposition Days”

In the British House of Commons, out of a total of some 160 days per session, every eighth day is an opposition day. This means that on those days issues proposed for consideration by the opposition shall have precedence over Government business.

The procedure for agreeing Opposition Days is not clearly codified in legislation, but in practice it is agreed between the Whips of the main parties during regular meetings. The Government normally has about 2–3 days to prepare before each opposition day.

A system similar to this one would give opposition parties in Ukraine an important stake in the Verkhovna Rada. For instance, there could be a set quota for the number of opposition days allowed in each session or month, and a formula can then be used to divide these days among opposition parties on the basis of the number of seats they hold. This is infinitely preferable to making the number of days dependent on the number of seats held by opposition parties, which could then be used to reduce their influence.

### The British Opposition questions the Prime Minister every week

In Britain, questions are asked of individual Government departments on a monthly basis in the Chamber and the Prime Minister faces questions weekly. The Opposition's front bench spokespeople are given the opportunity to ask more than one question.

The opposition's right to question all Cabinet members, including the Prime

Minister, at regular intervals plays a central role in holding the Government to account. It is particularly worth noting that the Opposition and the Government have equal weight in the amount of questions they can ask, regardless of how many seats each party has. This is important, as it prevents the Government from neutralizing the Parliament even when it has a large majority.

### Financing opposition parties: UK approach not appropriate

Opposition parties in the UK have access to two sources of public funding. The first, known as “short money,” is only available to opposition parties and includes funding to assist an opposition party in carrying out its Parliamentary business.

The second source of public funding is the Policy Development Grant. Under the provisions of the Act, £2mn is allocated among all political parties with more than two MPs in the House of Commons. Of this amount, £1mn is shared equally among all eligible parties, while the other £1mn is divided according to formulas reflecting the parties' relative strength.

It is questionable whether such a system would help in Ukraine. If a small amount of money were offered to the opposition, it would have no effect. If a large amount were offered, it would be both politically touchy and arguably a waste of Ukraine's limited taxpayers' money. A Policy Development Grant might be more useful, but it is debatable whether such a grant alone could help to generate real centers of policy analysis and development among all political parties, whether in Government and in opposition.

### By the way...

On 26 September 2006, ICPS specialists held a meeting with the management of the Japan Bank for International Cooperation. Bank representatives were in Kyiv with the aim of evaluating medium- and long-term prospects for Ukraine's economic growth.

Over 12–13 September 2006, Project Manager Volodymyr Hnat held workshops on how to run public lobbying campaigns. This event took place as part of the “Methods and Training Support for Regional Community Organizations to Prepare and Carry out Lobbying Campaigns” project.

### Government and opposition consult every day

One of the key methods for securing cooperation between Government parties is through regular, even daily, consultation among the Whips of the main parties. The Whips are so called because they are responsible for maintaining discipline within their parties by coordinating their members' voting and acting as a channel for dialog between the leadership and the less senior MPs. They are thus the key “enforcers” within the UK party system.

The Chief Whips of the parties meet regularly to organize parliamentary business and agree the agenda for future parliamentary work. This form of cooperation is known as the “usual channels.” In practice, the Chief Whip from the ruling party will consult with the Chief Whip of the official opposition before any major event, thus ensuring a high level of practical cooperation and the smooth running of the Parliament.

### A Shadow Cabinet helps keep the Government accountable

Given the first-past-the-post system in the UK, it is advantageous for the main opposition party to present itself as a credible alternative Government.

This is done with the help of a Shadow Cabinet, where every Government position is mirrored by a "shadow" minister or spokesperson who is responsible both for constructively criticizing the Government's work and for developing and promoting alternative policies. The concept of shadow ministers is a very effective way for the opposition both to hold the existing Government to account and to establish its credibility as an alternative to the existing regime, with a coherent policy program.

This system cannot be copied precisely in a multi-party setting where coalitions are the norm. However, the principle that opposition parties have credible spokespersons on a range of policy issues should be encouraged, as it could be expected over time to significantly raise the quality of both government and party policy-making.

### Loyal opposition: Both sides have a common goal

Over the centuries, the concept of a "loyal" opposition has become entrenched in Britain. The idea is to emphasize that, although the opposition is not in agreement with all the policies of the current Government, it is not opposed to the Queen or the State. Its key benefit is to remind both the public and politicians that they share a similar goal—the country's stability, happiness and prosperity—and that any disagreements are only about the methods that are employed to achieve these goals.

### Opposition and Government—a symbiotic relationship

The effectiveness of the opposition depends on its relationship with the

Government and the wider context in which they both operate. Effectiveness in this sense should be seen not so much as the opposition's ability to build popularity, but as its capacity to constantly hold the Government to account and thus raise the quality of decision-making in the country.

For the opposition to be effective, there needs to be acceptance, on the part of both the Government and the broader society, of the essentials of parliamentary democracy. There has to be agreement on the rules of the game and all-round acceptance that the opposition has an important role to play. Mechanisms to promote accountability and openness can only be effective if there is a general culture of accountability and commitment, among both Government and Opposition, to the overall workability of the parliamentary system.

In a country like Ukraine, where parliamentary democracy is far from entrenched, there is an extra responsibility on the part of both the Government and opposition parties to build and maintain effective systems of cooperation on procedural matters, while raising the quality of debate on policy matters. To some extent, the opposition cannot be judged without judging the Government, nor can the Government be judged without judging its opposition.

### For Ukraine, a Law on the Opposition is, at best, a partial solution

There has been much talk recently in Ukraine about the lack of formalized procedures to protect the role of the opposition in the Verkhovna Rada.

Undoubtedly, there are gaps in the procedures, and this is causing problems. However, the assumption that a "Law on the Opposition" would somehow solve these problems is extremely questionable. At best, it is a partial solution, for three reasons:

1. Any law in any country can be twisted and loopholes can be found, if someone really wants to do so. A major problem in Ukraine is that laws are simultaneously seen as the answer to every problem and as something to be manipulated, ignored or broken where possible. Until there is a proper culture of respect for the rule of law in Ukraine, a law on the opposition may help to set norms, but it will not by itself make these norms genuinely control the interaction between different forces.
2. Bringing all procedures on the opposition together in one law would be a major change, but it arguably would not address the wider process of interaction between the opposition and Government in all areas at a suitable level. What is really needed is to "mainstream" new methods of cooperation between the Government and the opposition across all the workings of the Verkhovna Rada.
3. Whatever legislation says, if the Government and opposition don't see the benefits of working together, they won't. Less formal mechanisms are often much more effective in building a common vision and mutual trust than formal mechanisms. ■

*icps newsletter* provides an abridged version of Duncan Hiscock's article. The full version can be found on the ICPS website at <http://www.icps.com.ua/doc/Opposition%20in%20the%20UK%20E.pdf>.

## Stakeholder consultations on EU–Ukraine FTA resume

In September, the second stage of consultations with stakeholders on the EU–Ukraine Free Trade Agreement began, under the auspices of a project implemented by the International Centre for Policy Studies in cooperation with the Ministry of Economy of Ukraine. The purpose of this project is to support the Ukrainian Government in forming a strong, balanced position for negotiating the EU–Ukraine Free Trade Agreement.

On 21 September 2006, ICPS held a roundtable on the subject of the impact of an eventual Free Trade Agreement (FTA) on Ukraine's agricultural and food product markets. An assessment of this impact was presented by ICPS senior economist Yevhenia Akhtyrko.

On 14 September 2006, project participants discussed the steps needed to improve trading conditions in the context of a future FTA between Ukraine and the EU. ICPS economist Kateryna Maliughina presented the Centre's position.

Subsequent consultations will look at additional sectors, including transport, metals, the environment, health and safety standards, industry, public procurement, intellectual property, and more. If you are interested in participating in these consultations, contact ICPS coordinator Iryna Lisnychenko by telephone at (380-44) 484-4400 or via e-mail at [ilysnychenko@icps.kiev.ua](mailto:ilysnychenko@icps.kiev.ua).

The results of these consultations will be used in drafting documents that will then serve as a basis for preparing Ukraine's positions for negotiating with the EU.

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